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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SALVADOR A. RODRIGUEZ,
Petitioner,
v.
DERRAL ADAMS, Warden,
Respondent.

No. C 04-2233 PJH

**REQUEST FOR CONTINUANCE
TO FILE AND SERVE
SUPPLEMENTAL TRAVERSE**

The Court ordered on April 26, 2007, that the Supplemental Briefing be filed by May 26, 2007. Counsel for Petitioner requests an additional forty-five (45) days to file as counsel inadvertently missed the Court's order. Please see *Declaration of Linda Fullerton* attached hereto.

Dated: May 31, 2007.

Respectfully submitted,

LINDA FULLERTON
Attorney for Petitioner

**DECLARATION OF LINDA FULLERTON
IN SUPPORT OF REQUEST FOR CONTINUANCE
TO FILE AND SERVE SUPPLEMENTAL TRAVERSE**

I, LINDA FULLERTON, declare:

I was appointed on March 14, 2007, to this case. Since appointment, I have spoken with several people involved at the trial court level, and have developed a few leads which I would like to finish investigating and then provide further briefing.

On March 27, 2007, in Contra Costa County Superior Court, the Honorable Richard Arnason presiding, I began a three-defendant jury trial that continued until May 16, 2007.

On May 19, 2007, I went on a pre-planned vacation and returned May 28, 2007.

10 On May 30, 2007, upon reviewing the electronic filings on some of my federal cases, I
11 realized that I did receive the court's filing but somehow inadvertently overlooked it.

12 I genuinely apologize for my inadvertence, which was due to a backlog resulting in part
13 from a two-month jury trial and a previously planned vacation, and respectfully request a forty-
14 five (45) day continuance on filing Petitioner's Supplemental Traverse.

15 I declare under penalty of perjury that the foregoing is true and correct, and that this
16 declaration was executed on May 31, 2007.

LINDA FULLERTON

ORDER

Good cause showing,

26 || Dated: 6/4/07

IT IS SO ORDERED
PJM
Judge Phyllis J. Hamilton